

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF  
LOWER ROXBURY DEVELOPMENT CORPORATION FOR  
APPROVAL OF A REDEVELOPMENT PROJECT PURSUANT  
TO CHAPTER 121A OF THE MASSACHUSETTS GENERAL  
LAWS

A. The Hearing. A public hearing was held at 2:45 P. M. on Thursday, November 11, 1971, at the offices of the Boston Redevelopment Authority, (hereinafter called the "Authority"), in Room 921, City Hall, Boston, Massachusetts, by the Authority on an Application, (hereinafter called the "Application"), filed by the Lower Roxbury Development Corporation, Ralph D. Smith, President, (hereinafter called the "Applicant"), for authorization and approval of an urban redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), to be undertaken by the Applicant, a charitable corporation, organized under the provisions of Chapter 180 of the General Laws, due notice of said hearing having been given previously by publication on October 27 and November 3, 1971, in the Boston Herald Traveler, a daily newspaper of general circulation published in Boston, and mailing postage prepaid, in accordance with Rule 8 of the Rules and Regulations of the Authority for securing the approval of Chapter 121A Projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. Patrick Bocanfusco, Chairman of

the Authority, and Paul J. Burns, James G. Colbert, Robert L. Farrell, and Joseph J. Walsh, members of the Authority, were present throughout the hearing.

B. The Project. The Project consists of the purchase by Lower Roxbury Development Corporation of Disposition Parcels R-1, R-2, R-3, R-4a, R-4b, and R-5 in the Campus High School Urban Renewal Area, and the construction, operation, and maintenance thereon of a multi-family apartment and townhouse complex for tenants of low-moderate income containing approximately 283 units, together with appurtenant facilities including community space, landscaping, walkways, ground-floor commercial space and adequate parking facilities. Said Parcels R-1, R-2, R-3, R-4a, R-4b, and R-5 are shown on a Plan entitled: "Plan of Land in Boston, Delivery Parcel R-1, R-2, R-3, R-4a, R-4b, R-5 of Campus High School Urban Renewal Area, Project No. Mass. R-129", prepared by Green Engineering Affiliates, Inc., dated November 29, 1971, which Plan is filed with the Application as Exhibit A.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all Documents, Plans, and Exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the Exhibits offered in evidence at the hearing, and the arguments and statements made at the hearing.



D. The Project Area. The Project, as defined in the Application, constitutes a "Project" within the meaning of said Chapter 121A, Section 1, of the General Laws, providing, as it does, for the construction, operation and maintenance of decent, safe and sanitary residential buildings in part of a larger area which was previously declared to be a substandard and decadent area under Chapter 121B of the General Laws by the Authority on July 9, 1970. This finding was concurred in by the Boston City Council on June 7, 1971, in its Resolution approving the Campus High School Urban Renewal Plan, and the Project Area has been or will be taken by the Authority by eminent domain in furtherance of said Urban Renewal Plan, pursuant to a program of Early Land Acquisition approved by the Department of Housing and Urban Development.

Conditions exist which warrant the carrying out of the Project in accordance with the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960 and the Application constitutes a "Project" within the meaning of that law. As stated above, the 121A Project Area is included within a larger area which the Authority has already found to be substandard and decadent under the provisions of Chapter 121B and has been or will be acquired by eminent domain. The purpose of Chapter 121A and Chapter 652 of the Acts of 1960, as amended, will be met by the carrying out of the Project as it will provide desirable housing accommodations for low and moderate income families, of which

there is a serious shortage in the City of Boston and in the Campus High School Urban Renewal Area.

E. Cost of the Project. In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable. The Applicants have received a mortgage commitment from the Massachusetts Housing Finance Agency in the amount of Eight Million One Hundred Seventy Five Thousand Six Hundred Seventeen (\$8,175,617.00) Dollars and have further sought mortgage subsidy funds under Section 236 of the National Housing Act. An allocation of subsidy funds has been made by MHFA for this Project. No additional funds will be required in addition to those obtained from the Massachusetts Housing Finance Agency since the mortgage is a one hundred (100%) percent mortgage loan at below-market interest rates; in addition, at least twenty-five (25%) percent of the dwelling units will receive rent supplement assistance payments under the Housing Act of 1965 from the Department of Housing and Urban Development.

F. Master Plan. The Project does not conflict with the Master Plan of the City of Boston. In Resolutions adopted by the Authority on July 9, 1970, approving the Campus High School Urban Renewal Plan, it was found and determined that such Urban Renewal Plan conforms to the Master Plan, as amended, for the locality. The Project, in



turn, conforms to the Campus High School Urban Renewal Plan, as amended.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will, in fact, promote the best interests of the City and will constitute a public use and benefit. The structures to be constructed in accordance with the Project are attractive and efficiently designed apartment and townhouse buildings with appropriate landscaping and outdoor recreational areas, which, when built, will enhance the general appearance of the Project Area and furnish necessary accommodations for families and individuals of low and moderate income.

Exhibit E sets forth the amounts which the Corporation proposes to pay by agreement to the City of Boston, in addition to the excise prescribed by Section 10 of Chapter 121A.

The carrying out of the Project will not of itself involve the destruction of buildings occupied in whole or in part, since such demolition has been or will be performed by the Authority in furtherance of the Urban Renewal Plan. All of the families resident in the Project Area will be satisfactorily relocated in accordance with the Campus High School Urban Renewal Plan and the applicable regulations of the Department of Housing and Urban Development. The

Project will provide approximately two hundred eighty-three (283) new dwelling units within the Project Area.

The Project Area abuts, but does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston, or for any other highway construction.

H. Minimum Standards. The minimum standards for financing, construction work, maintenance, and management of the Project as set forth in Exhibit D filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulations (in addition to those hereinafter adopted and imposed) applicable to the Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended. The Authority hereby approves any financing made pursuant to Paragraph 8 of the Application where the mortgage is held by the Massachusetts Housing Finance Agency.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within five hundred (500') feet of one or more buildings occupied in whole or in part as a public or private school having more than fifty (50) pupils, or as a public or private hospital having more than twenty-five (25) beds, or as a church.

The Application contains no request that the Authority declare



the units separate buildings for the purposes of Chapter 138 of the General Laws.

I. Deviations. Exhibit C filed with and attached to the Application sets forth requests for the Project to deviate from Zoning, Building and other Regulations in effect in the City of Boston. Said Exhibit C, listing these requests, is attached hereto as Schedule A.

The project area will be owned by a single 121A corporation composed of a number of buildings with land frontage on various streets, all within an urban renewal area. Said project area is planned in its entirety to be responsive to the needs of various future tenants. In its planning, consideration has been given to various elements; such as, open spaces, landscaping, densities, heights, uses, appearances, conveniences, amenities, etc. Thus, the zoning deviations necessary to carry out the plan as contained in Schedule A attached and referenced to the plans of the development are hereby granted.

The Authority is satisfied, by reliable and generally accepted tests, or by experience in other cities, and on other projects, that the designs, construction, materials, apparatus, equipment or methods specified in the Application and supporting documents, and in the evidence presented at the hearing, will sufficiently satisfy the purpose for which it or they are to be used and the purposes of the applicable laws, codes, ordinances, or regulations, respectively.

The Authority therefore grants permission hereby for the Project to deviate from those Codes and Regulations of the City of Boston specified in Schedule A, attached hereto and made a part hereof.

The Authority hereby finds that the Application and the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws, Chapter 652 of the Acts of 1960, as amended, and the applicable Rules and Regulations of the Authority; and the Authority for these reasons and for the reasons set forth in the Application and the supporting documents, and the evidence presented at the hearing, and in this Report, hereby approves the Project to be undertaken by Lower Roxbury Development Corporation, as requested in the Application.



SCHEDULE A

APPLICATION BY LOWER ROXBURY  
DEVELOPMENT CORPORATION TO  
BOSTON REDEVELOPMENT AUTHORITY DATED

OCTOBER 13, 1971

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Statement of Permission Required for Project  
to Deviate from Zoning and Other Laws

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The following is a statement of all permissions which so far as known to the Applicant will be required for the Project to deviate from Zoning, Building, Health and Fire Laws, Codes, Ordinances and Regulations in effect in the City of Boston.

A. Zoning Code - Town Houses, Elderly and Shawmut Buildings:

1. Section 8-2

Permission is sought to waive all use restrictions in the H2, H1 and L1 zones to allow General Business Use on the ground floors of the "Elderly" and "Shawmut" buildings including but not limited to project management office space, retail and other commercial space and a childrens day care center, as shown and described in a set of architectural plans included in Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A and A-1B"

GRANTED

2. Article 13

Permission is sought to waive all dimensional requirements inconsistent with the dimensional requirements for the Project as shown and described in a set of architectural plans included in Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

3. Article 14

Permission is sought to waive all lot size, area and width requirements inconsistent with the lot size, area and width requirements for the Project as shown and described in a set of architectural plans included in Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

4. Article 15

Permission is sought to waive all building bulk requirements insofar as they are inconsistent with the building bulk requirements for the Project as shown and described in a set of architectural plans included in Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-2A, A-3A, A-4A, A-5A, A-6A, A-7A, A-8A, A-1B, A-2B, A-3B, A-4B, A-5B, A-6B, A-1, A-2, A-3 and A-4"

GRANTED

5. Article 16

Permission is sought to waive all height of building requirements insofar as they are inconsistent with the height of building requirements for the Project as shown and described in a set of architectural plans submitted as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-6A, A-7A, A-8A, A-6B and A-4"

GRANTED

6. Article 17

Permission is sought to waive all open space requirements insofar as they are inconsistent with the open space requirements for the Project as shown and described in a set of architectural plans submitted as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

7. Article 18

Permission is sought to waive all front yard requirements insofar as they are inconsistent with the front yard requirements for the Project as shown and described in a set of architectural plans submitted as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

8. Article 19

Permission is sought to waive all side yard requirements insofar as they are inconsistent with the side yard requirements for the Project as shown and described in a set of architectural plans submitted as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED



9. Article 20

Permission is sought to waive all rear yard requirements insofar as they are inconsistent with the rear yard requirements for the Project as shown and described as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

10. Article 21

Permission is sought to waive all setback requirements insofar as they are inconsistent with the setback requirements for the Project as shown and described in a set of architectural plans submitted as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

11. Article 22

Permission is sought to waive all yard requirements insofar as they are inconsistent with the yard requirements for the Project as shown and described in a set of architectural plans submitted as part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1A, A-1B, A-1 and A-2"

GRANTED

12. Article 23

Permission is sought to waive all off-street parking requirements insofar as they are inconsistent with the off-street parking made available to occupant families and visitors of the Project and tenants of the commercial ground floor spaces in the "Elderly" and "Shawmut" buildings; adequate off-street parking is to be made available to said residents, visitors, and commercial tenants for the Project and is shown and described in a set of architectural plans submitted as a part of Exhibit H of this Application and entitled "LRCC - Madison Park Houses, John Sharratt Associates, Inc., (Architect) Sheet Nos. A-1, A-2 and Site Plan 1 of 2"

The Applicant believes that any additional necessary parking spaces will be provided on the public right-of-way adjacent to the Project and such parking spaces are clearly intended by their location and design to be used primarily by residents of the Project, their visitors and commercial tenants; said adjacent public right-of-way is not to be used primarily for the movement of vehicles belonging to other than residents of the Project, their visitors, and commercial tenants.

GRANTED

B. Permission is sought to waive the requirements and grant relief from the following sections of the Building Code:

1. Section 303.0

- A. Attached one-family townhouse residences (occupancy group L-3) of unprotected frame (Type 4B) construction are prohibited in First Fire Zone. Permission is requested to waive this restriction of First Fire Zone. It is the intention to meet all restrictions of Second Fire Zone and Type 4B Construction Classification. Such permission will not substantially derogate from the intent of the Building Code or fire law since the type of construction and materials are appropriate for the location of the townhouse buildings which are physically separated from the First Fire Zone by the Inner Belt Highway and the Southwest Expressway.

GRANTED

2. Section 521.0

- A. In lieu of a fire emergency exhaust system in elevator lobbies and portions of interior corridors in the six story fireproof (Type 1B) apartment building, the portions of the interior corridors where the above system is required shall be pressurized, except that the portions of the interior corridors isolated from corridor windows by fire doors shall have the required fire emergency exhaust systems provided. Behind each exhaust grill a Boston Fire Department approved smoke detecting actuated switch shall be located which will turn on the main exhaust fan. -

GRANTED

- B. No fire emergency exhaust system in interior exit stair in the nine story fireproof (Type 1B) apartment building, provided that said interior exit stair has at the top a ventilation opening to the roof the cover to said ventilation opening to be spring loaded pop open type controlled by a smoke detector device all to meet the approval of the Boston Fire Department.

GRANTED

3. Section 1207.7.3

- A. No hoses and racks or cabinets at standpipe risers in six story and nine story fireproof (Type 1B) buildings, provided Fire Department approved fire extinguishers and cabinets are furnished in approved number and location.

GRANTED